

REMARKS

Favorable reconsideration and withdrawal of the rejection set forth in the final Office Action dated April 22, 2009, are respectfully requested in view of the foregoing amendments and the following remarks.

Status of the Claims

Claims 3 and 15-21 are pending with Claims 1 and 18 being independent. Claims 3 and 15-17 have been amended. Claims 18-21 have been added. Support for the new claims and claim changes can be found in the original disclosure, for example, from page 25, line 15 through page 32, line 10, of the specification, and therefore no new matter has been added.

Rejection

Claims 3 and 15-17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 7,062,579 (Tateyama et al.) in view of U.S. Patent Publication No. 2003/0081240 (Soto et al.).

In response, while not conceding the propriety of the rejection, independent Claim 3 has been amended. Applicant submits that, as amended, independent Claim 3 is allowable for the following reasons.

Independent Claim 3 relates to a digital camera that can directly communicate with a printer, comprising a receiving unit that receives capability information of the printer from the printer, a determination unit, and a user interface.

Claim 3 has been amended to recite that the capability information includes first information and second information, the first information indicating whether the printer has a first function of automatically detecting a paper size, and the second information indicating whether the printer has a second function of automatically detecting a paper type.

Claim 3 has also been amended to recite that the determination unit (a) determines, based on the first information included in the capability information received by the receiving unit, whether the printer has the first function, and (b) determines, based on the second information included in the capability information received by the receiving unit, whether the printer has the second function.

Claim 3 has been further amended to recite that the user interface notifies a user that the printer has the first function and the second function, after the determination unit determines that the printer has the first function and the second function.

By this arrangement, a user interface notifies a user that a printer has automatic-paper-size-detection and automatic-paper-type-detection functions based on automatic-paper-size-detection-function information and automatic-paper-type-detection-function information from the printer.

In contrast, the citations to Tateyama et al. and Soto et al. are not understood to disclose or suggest a user interface that notifies a user *that a printer has automatic-paper-size-detection and automatic-paper-type-detection functions* after a determination unit determines that the printer has these automatic functions based on *automatic-paper-size-detection-function information and automatic-paper-type-detection-function information* from the printer.

Therefore, these citations are not understood to disclose or suggest a receiving unit that receives capability information of the printer from the printer that includes first information indicating whether the printer has a first function of automatically detecting a paper size and second information indicating whether the printer has a second function of automatically detecting a paper type, a determination unit that (a) determines, based on the first information included in the capability information received by the receiving unit, whether the printer has the first function, and (b) determines, based on the second information included in the capability information received by the receiving unit, whether the printer has the second function, and a user interface that notifies a user that the printer has the first function and the second function, after the determination unit determines that the printer has the first function and the second function, as recited by amended Claim 3.

Page 5 of the Office Action admits that the Tateyama et al. patent does not disclose a user interface that notifies a user that the printer has a first function of automatically detecting a paper size and a second function of automatically detecting a paper type if a determination unit determines that the printer has the first and second functions. For this reason, the Office Action cites the Soto et al. publication. But the Soto et al. publication is understood to disclose print setting software 240 that can retrieve modifiable print settings, including predefined media sizes, from a database in a memory 130 of a computing device 110. And a disclosure that software 240 retrieves a printer setting, such as predefined media sizes, is not understood to be a disclosure that the printer has an automatic-paper-size-detection-function and an automatic-paper-type-detection-function, as recited by amended Claim 3.

Since amended Claim 3 recites units that: a) receive information about the automatic-paper-size-detection-function and the automatic-paper-type-detection-function of the printer; b) determine whether the printer has the automatic-paper-size-detection-function and the automatic-paper-type-detection-function; and c) notify a user that the printer has the automatic-paper-size-detection-function and the automatic-paper-type-detection-function, and since the reference used by the Office Action to show claimed user interface — the Soto et al. publication — is understood to merely disclose print setting software 240 that can retrieve a modifiable print setting such as predefined media sizes, rather than information about the automatic functions of the printer, Applicants submit that the Office has not yet satisfied its burden of proof to establish a prima facie case of obviousness against amended Claim 3.

Therefore, Applicants respectfully request that the rejection of amended Claim 3 be withdrawn. And because corresponding method Claim 18 recites similar features, it is submitted to be allowable for similar reasons.

The dependent claims are also submitted to be patentable, due to their dependency from the independent base claims, as well as due to additional features that they recite. Individual consideration of the dependent claims is respectfully solicited.

Conclusion

In view of the above amendments and remarks, the application is now in allowable form. Therefore, early passage to issue is respectfully solicited.

Any fee required in connection with this paper should be charged to Deposit Account No. 06-1205.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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